### GRAIN DEALERS OF STATE TO FIGHT M'CUMBER BILL

Beveridge to Oppose the Act in United States Senate.

#### NEED EXPERIENCED MAN INTERVIEW IS DENIED MERCHANTS'

At the annual meeting of the State Grain Dealers' Association, held at the Claypool yesterday morning and afternoon, resolu- severely scored City Attorney E. W. tions were adopted calling upon Senators | Wickey and City Treasurer William E. Fairbanks and Beveridge to oppose Senate bill No. 199, better known as the McCumber | failing to comply with the order of the the committee on agriculture of the United | Company, acting as receiver for the East States Senate. The bill proposes to place | Chicago Light and Water Company, funds the inspection of grain in the hands of the government. The resolutions follow:

Resolved. That we, the members of the Indiana Grain Dealers' Association, of the State of Indiana, in convention assembled the 6th day of January, 1904, in the city of Indianapolis, do hereby petition Senators Fairbanks and Beveridge to oppose the passage of a bill known as Senate bill No. 99, or probably better known as the Mc-Cumber grain inspection bill

Said bill is now before the agricultural committee of the United States Senate, the purpose of the bill being to place the innational government-in other words, to create a new sinecure and to place the inspection of grain at terminal markets upon the unsteady and ever-changing basis of

Past experience now compels us to appeal to our senators to use their best efforts to prevent the passage of said bill. A copy of the resolutions adopted was sent to the convention of the Boards of Trade and grain inspectors of the country, now being held in New York city. Delegates from the New York convention will go to Washington to-day and make every effort to prevent the passage of the bill by the Senate. Grain dealers said yesterday that, if the bill was passed and became a law, it would work a great hardship on grain dealers of the country and Judge Anderson announced that if the of-cause them considerable trouble. The in-ficials of East Chicago again disobeyed his making it a successful meeting on account spectors at present employed are men who have had years of experience in the work and were appointed by the Boards of Trade at the different terminal markets. The bill now before the Senate provides that inspectors appointed shall have had two years'

L. H. Mummert, manager of the Indianolls Car Service Association, addressed the meeting yesterday afternoon. He outlined the puspose of his organization, and said that the grain dealer and the association could help each other greatly by hearty. WILLIAMS RESIGNS, BUT co-operation. J. S. Lazarus, general freight agent of the C., I. & W. Railroad, urged the dealers to be prompt in unloading cars Prof. A. F. Wianco, of Purdue University ectured on the raising of corn. The members of the association tertained with a smoker by the Indianapolis

Board of Trade in the Board of Trade building last night

#### PLEAK IS PRESIDENT OF ANGUS BREEDERS

Thirty-five members of the Indiana Angus Cattle Breeders' Association gathered in Care of the Calf," by O. E. Bradfute, of Cedarville, O., one of the most prominent Angus cattlemen of the country. Following the paper there was a general discussion by the men on the question of caring for the young Angus calf. The election of officers of the association

was held at the afternoon session, and resulted in the election of the present officers, Will R. Pleak, of Greensburg, president, and George W. Henderson, of Lebanon, secretary. A committee was appointed by the association to co-operate in the organization of the Indiana Cattle Breeders' Association, which the Angus cattlemen heartily in-

#### HEREFORD BREEDERS OF STATE ELECT OFFICERS

There was a light attendance and little business transacted at the meeting of the Indiana State Hereford Cattle Breeders' Asafternoon. Several of the speakers were unable to be present at the annual meeting. The following officers were elected: President, S. L. Wright, Parls Crossing; vice president, Ed L. Wilson, Bennett; secretary and treasurer, C. E. Amsden, Shelbyville: director, elected to serve three years, A. F. Brown, Cloverdale. After the election of officers several of the members made short addresses and the meeting adjourned.

### TO KNOW TAXPAYERS.

With the adoption of a resolution advising the county assessor to get in better touch with the people they assess, the annual convention of county assessors came to an yesterday afternoon. The different yesterday morning. But few, if any, sug- was granted by the board, with the proviso beck, resigned. gestions looking toward radical changes in | that the judge pay for his badge. the work of the assessors were made by the committees.

### SHORT HORN RAISERS.

The thirty-second annual session of the last night in the Statehouse. Many prominent members attended the session. The papers read were of great interest to the members of the association and received careful attention. The officers will be elected this morning and the session will adjourn

### FIREMEN NAME TRUSTEE

John Berry, of Telegraph Corps, Re-Elected for Term of 4 Years. ment telegraph corps, was re-elected a member of the board of trustees of the firemen's pension fund yesterday afternoon. Mr. Berry received 180 out of a total of 215 votes cast. The other candidates for the position were Michael Corliss, Joseph Keys, John Fox, Edward Fullois and Captain Stephen Childers, all active members of the city fire department.

pension fund, one of whom is elected annually. The votes are cast by the firemen of the several houses, are sealed up and livered into the hands of Chief Coots. On the day following, the votes are taken by the chief to the office of the mayor, where they are counted by the mayor, the city clerk and the chief himself.

### EPIDEMIC INCREASES.

January Will Exceed Last Month. Over 250 cases of measles were reported to At the Grand Opera House all the imber promises to raise the total of new cases | pleted this week. above that in December, although December had the greatest number of cases ever

### Increase of Prisoners.

to the State Board of Charities show that lieving that I was misquoted. What I said forty-eight prisoners in the jails of the Park was satisfactory. State over last year. In the ninety-two | The English is the only theater that this county jails and the Marion county work- department has felt justified in issuing a house there were 849 prisoners, of whom | certificate of exemption to. This certificate

### Small Boy Lost.

Edward Brady, a twelve-year-old boy liv- said cerificate to lie on my desk. at an early hour this morning.

## THREATENS TO IMPRISON OFFICIALS FOR CONTEMPT

Petition Senators Fairbanks and Judge Anderson Accuses East Chi- Board of Agriculture Questions Henry Stockdale, Wealthy Man, Last Will of Mrs. Armelia Theresa cago Officers of Withholding Water Company's Funds.

In open court yesterday Judge Anderson, of the United States District Court, Williams, of the city of East Chicago, for belonging to the company. On the petition of the Indiana Trust Company the officials | were brought into court to show cause why the funds had not been paid when ordered by the court, or to be fined and sentenced for contempt of court. It is said by court attaches that the officials of East Chicago have several times willfully disobeyed the mandates of Judge Anderson.

When asked by the court to explain why he had advised the city treasurer to refuse spection of grain under the control of the | to turn over to the receiver the money collected Attorney Wickey claimed to have reached an agreement with Judge Anderson in an alleged interview with the judge ing had any interview with the attorney and ordered him to sit down. Judge An- year. A letter was received by the board ment made by Wickey and used strong language in branding the story untrue. The city treasurer said he had not paid over the money on the advice of Wickey and funds. In spite of the fact that by the resolution was presented to the board by to prepare figures showing the exact amount owed to the company and bring a strong sentiment on the part of this board these figures into court, he failed to do so. in not holding a fair in 1904, and whereas

orders he would send them to jail. The court has ordered that all moneys light. There are 163 hydrants and ninety- fair shall be held in Indianapolis in 1904 unexperience, but grain men say this is not | three arc lights in the city of East Chicago. | less substantial assistance be vouchsafed receiver for the East Chicago Water and city. Light Company by Judge Anderson Nov. 12,

# WILL BE REAPPOINTED

Clerk Quits for Few Days to Get the Increase Recently Voted Him by Council.

At yesterday's meeting of the Board of Public Works William R. Williams, chief clerk of the board, tendered his resignation, which was accepted by the board, taking effect immediately. Clarence C. Cowgill, Room 62 of the Statehouse last night and assistant clerk, was appointed to temporarily fill the vacancy caused by Mr. Williams's resignation, but can expect only a be reappointed by the board at its Friday meeting. In this way the present chief clerk can reap the benefit of the ordinance recently passed by the City Council that raised the salary of the chief clerk of the Board of Public Works from \$1,200 to \$1,500 per year. Under the city's laws an incumbent of an office cannot profit by a raise in the salary of his position. Resignation and reappointment are the remedies to which an officeholder has recourse.

George Wolf was awarded the contract to insure the boilers of the city in Tomlinson Hall, the City Hospital, the Brightwood water works and the police station for three years in the sum of \$30,000 for an annual premium of \$200. This is to include the yearly inspections of the boilers. De Camp Bros., holding the contract for the construction of the new detention hospital, failed to post their bond, but the board decided to wait for a short time and

give the firm a little more time. The salary of the custodian of the Haughchased for the board. The Big Four Railroad may be compelled to tear up its switches south of Bates street, between Leota and Quincy streets, as Street

Superintendent Herpick reported to the

board that the switch was laid in 1886 with-

out permission from the city.

#### WHALLON MUST PAY FOR BADGE IF HE WEARS IT

Police Judge Whallon, who wants to exercise the rights and prerogatives of a prerogatives extend to certain powers and privileges, asked the board for the right to days' probation rule. The two latter take committees appointed Tuesday reported wear a regular policeman's badge. This the place of Tom Graham and Conrad Strie-

### Holland Sleeping Car To-Day.

The Holland interurban sleeping car Theodore will arrive in the city this morning on the Greenfield line and will be in the city, at the company's terminal, until Nordyke as part payment on the purchase Indiana Shorthorn Breeders' Association 2 p. m. It will be open to inspection by the price of the Nordyke residence at Delaware vised version of Si Plunkard's famous colmet yesterday morning and afternoon and public. This afternoon the inventor, H. F. and Eleventh streets, in this city. Mr. Nor-lection of rustic musicians. Thomas Owings on the car. The Theodore and the Frances, the use of the mill property. It will prob- bert Cooke Woodburn and Claude Arthur a companion car, will soon go into regular ably be occupied in a short time, as it is Ward, soloists, were the other specialists service between Indianapolis and Colum- considered a valuable site, being located that accompanied the musical organiza-

### HOTEL OWNERS ORDERED TO MAKE IMPROVEMENTS

John Berry, a member of the fire depart- Inspector McAbee Sends Recom- Thinks His Discovery Will Elim- Annual Meeting Is the Largest in | year. mendations to Proprietors-Answers Letter of English's.

In line with the agitation in favor of bet-There are four trustees of the firemen's spector McAbee has made a number of recommendations to the owners of hotels, apartment houses and office buildings of taken to headquarters, where they are de- this city, which are, in effect, orders to have certain improvements made that would | dered to all practical purposes fireproof.

render easier escape in case of fire. Among the buildings to whose owners representations have already been made, or will be made by the inspector, are the following: The Claypool Hotel, the Vendome Hotel, the National Hotel, the Loretta Ho-Number of Cases of Measles for tel, the Spencer House, the Morton, Marquette and Charlemont apartment houses and the Lemcke building.

the city Board of Health up to last even- provements ordered by Building Inspector ing for the month of January. This num- Stanley are being made and will be comfor the month, if the ratio continues, far In answer to representations from William

E. English as to whether the factory in- the complete hangings of a theater could be reported to the department in any single spector had not been misquoted in speaking month. The epidemic is not considered in a of the English Opera House, Mr. McAbee serious light, as the death rate has been has written Mr. English as follows: Indianapolis, Ind., Jan. 4, 1904. Hon. William E. English, Indianapolis,

My Dear Sir-I am just in receipt of your Reports made by the sheriffs of the State favor of the 3d. You are correct in beand intended them to say was that the English was the safest building, and that the

amination, and approved by me. Owing to the fact that the blank was not satisfactory to me in the way of design I permitted ing at 715 Chadwick street, has been miss- You will recall that this department has Company from a serious fire. He noticed ing from his home since yesterday morning, anything in the way of more or better exwhen he left his parents to go to school. its, curtains or anything else. In fact, fire alarm at once. The fire department Last night his father called at the police everything has been, in our judgment, as responded quickly and a few moments later station and asked that the police aid him in complete as it well could be. I am very the fire was out. The fire started from electicating his son. He had not been found sincerely yours, D. H. M'ABEE, tric wires and resulted in a loss of about

# POSTPONES A DECISION ON THE FAIR QUESTION

Advisability of Holding Exhibition World's Fair Year.

Feeling that the question of holding a count of the world's fair. However, there | hospital upon his own request. are certain members who think that if a ial loss. It was suggested that if on two days the business men would close their stores and business houses several thousand dollars would be added to the receipts

At the meeting in February the matter

will be once and for all disposed. If the

business men of the city do not respond to the opportunity the board has given them soon after the ordinance was issued. In to make known their position in regard to scathing terms Judge Anderson denied havderson was greatly angered by the state- yesterday from the Hotel and Restaurant Keepers' Association protesting against the abandonment of the fair. It stated that a committee will call upon the board soon because the city did not have the necessary to discuss the situation. The following order of the court Williams was instructed J. E. McDonald, of Ligonier, and was to prepare figures showing the exact unanimously adopted: "Whereas, There is of the world's fair at St. Louis, which will cut down attendance and patronage, and collected by the city shall be paid to the whereas the board believes that it cannot Indiana Trust Company, receiver, at the meet these difficulties, be it resolved that rate of \$55 per hydrant and \$92.80 per arc | it is the sense of this board that no State The Indiana Trust Company was appointed by the mercantile and business men of the

> The annual convention of the Indiana State Board of Agriculture adjourned yesterday evening after officers for the ensuing year had been elected as follows: President, John C. Haines, of Rockport; vice president, David Wallace, of Indianapolis; secretary, Charles B. Downing, of Greenfield; treasurer, J. W. Le Grange, of Franklin. The following new members of the board were elected: John C. Haines, of Rockport; Mason J. Niblack, of Vincennes; E. S. Tuell, of Corydon; John Tilson, of Franklin; David Wallace, C. B. Benjamin, of Leroy, and James E. McDonald, of Ligonier. Most of the closing sessions yesterday were devoted to the discussion of the advisability of holding the fair this year and the transaction of routine business.

#### SLATER CITY'S SECOND VICTIM OF OHIO WRECK

Indianapolis Man Succumbs to Exhaustion After Operation in Steubenville Hospital.

Jacob H. Slater, of this city, died yesterday in the hospital at Steubenville, O., from near that city Dec. 10, in which Frank A. Slater was sitting in the same seat with LaSalle, and received serious injuries, necesweakened condition he was unable to survive the shock of the operation.

The dead man was fifty-five years of age and made his home at the Denison Hotel.He had large property interests in various Guard when they receive nothing from the parts of the country, and was a great lover | State but their belts and rifles. of fine horses. He was a Mason, K. of P. and an Odd Fellow. A son, Guy E. Slater, ville town hall was raised from \$20 to \$25 | who is married and resides in Denver, Col., survives him. The remains will probably be buried at Montpelier, this State.

### Morgan Resigns from Force.

John W. Morgan, formerly a member of the city's detective force, but subsequently tinuation of a leave of absence by the Board of Safety yesterday, and handed in his resignation, which was accepted. At the time of his reduction to the ranks, two months ago, Mr. Morgan was granted a sixty days' leave of absence by the board, and wanted thirty days more.

Charles W. Quack and William Wenzel, both Democrats, and Paul A. Randall, a Republican, were appointed to the police department, going in under the new ninety

Valuable Mill Becomes A. H. Nordyke's The old mill on South First street, Terre Haute, valued at \$20,000, and formerly owned by Havens-Geddes Dry Goods Coml near two railroads.

# CAN MAKE STAGE SCENERY FIREPROOF, SAYS MOFFATT

inate All Danger of Flimsy Material Burning.

City Chemist A. Moffatt announced yester- | The annual convention of the Indiana

ture or color, can be immersed and ren-"This solution," stated Mr. Moffatt, "is a perfectly natural one, free from any acids or | visiting surgeons, after which officers were poisons, and will not hurt or discolor any | elected as follows: fabric. A piece of cloth that has been immersed in this solution will charr if placed in direct contact with a blaze, and the vegetable matter in its composition will be de-

stroyed, but the cloth will not blaze up or transmit the fire. It ceases to burn when "Paper can be treated to this solution," wood can be given a superficial coating to make it proof against an occasional blaze. All the ingredients are cheap, and I suppose treated to the solution at a total cost of not more than \$25 or \$30.

Mr. Moffatt had several pieces of muslin cloth and of paper in his laboratory which he had treated to the solution. When a lighted match was applied to them they charred but did not blaze. The burned portions of the paper and the cloth extended no farther than those parts that had come into direct contact with the blaze of the match.

### SAVES WHEN FROM FIRE.

and 3 were girls. Captain Hyland Noticed Blaze and Mr. Spees, my chief deputy, after an ex-Turned in Alarm.

Captain Hyland, of the city police department, last night saved the When Clothing the blaze in the building and turned in the tric wires and resulted in a loss of about

# HIRES MEN TO KEEP HIM FROM KILLING DAUGHTERS

Possessed of Strange Mania, Brought to Asylum.

SUPPORT RATIONAL OTHER WAYS ONE OF

Loving his daughters with all the love a state fair should not be decided until the father is capable of, but afraid he will yield melia Therasa Nowland, who was the widcity has expressed its sentiment, the State to an almost uncontrollable mania he has ow of J. H. B. Nowland, pioneer historian Board of Agriculture yesterday postponed to kill the girls, Henry Stockdale, a wealthy of Indianapolis, that it be inscribed upon the settlement of the question until its next | retired merchant of Marshall, Park county, | the tombstone that she was a lineal dequarterly meeting, which will be held on was brought to this city yesterday after- scendant of the famous Earl of Rivers on grain inspection bill, which is now before court to turn over to the Indiana Trust Feb. 3. Collectively the board is not in noon and taken to the Central Hospital for her mother's side of the family and from favor of holding the fair this year, believing the Insane. Fully aware of his awful afthat it will be a losing investment on ac-; fliction, the man was taken to the insane

Stockdale is rational in every way except fair this year will be given the support of in his strange desire to kill his daughters the business and manufacturing men of In- He is perfectly aware of this mania, and dianapolis it could be held without mater- for several weeks past employed two strong men to remain with him at night to guard his daughters, should he attempt to take In Marshall the demented man has al-ways been regarded as an ideal husband

and father, and his strange mania has greatly excited the residents of the town. MAD DOG BREAKS LOOSE

AND DOES MUCH DAMAGE

Little Walker Bray and Others Are Bitten-Killed by Bicycle Policemen.

A mad dog caused all kinds of excitement yesterday morning in the vicinity of College avenue and Sixteenth street. It succeeded in biting a number of people before he was killed by Bicycleman Duncan. The dog bit Walker Bray, the small son of City Detective Bray, of 1901 Ashland avenue and seriously lacerated the boy's face and hands. John Kirkpatrick, 1420 College avenue, Dillard Smith, of Southport, and number of women and men whose names could not be learned were among those atformerly justice of the peace, of 1901 Cortearing himself from the teeth which were snapping wickedly at him. He chased the dog down the street for about a block with a hatchet, but was unable to overtake him. Bicyclemen Duncan and Hull were sent out to kill the dog and after searching some time succeeded in locating him. Bicycleman Duncan shot several times at the beast and killed him instantly. It is not thought that any of the persons bit will be seriiously injured with the exception of little Walker Bray, and his case may become critical. The dog was the property of Homer Bell, 1587 College avenue, and was considered a valuable animal.

### COMPANY IS CENSURED.

Military Institute Thinks Danville Did Wrong in Resigning.

That the members of the Indiana Military Institute look with disfavor upon the action of members of Company K, Second Regiment, of Danville, in withdrawing from the National Guard because dissatisfied injuries received in the Pennsylvania wreck | with pay, was manifested at their meeting | that Brewer's past life could be investilast night in the Statehouse. Governor Durbin was present and gave an itemized account of the manner in which the State's appropriation to the National Guard has been spent. It was the consensus of opinion of all officers present that the best soldiers are the soldiers who fight for their country and not for money, and that there is a better class of soldiers in the National

Thirty-two members of the Military Institute were present last night, including the Governor, the adjutant general and the quartermaster general. The meeting was called to order by President McKee. A pa-per was read by Maj. Thomas B. Coulter, of the First Regiment, of Vincennes, on "West Point Maneuvers and Their Lessons." Following the paper there was a general discussion by the officers on the subject. The general opinion was that the soldier of today cannot always follow the rules of the book, but must depend upon his own judgment to a great extent.

### GLEE CLUB SCORES HIT.

Indiana University Glee Club, Band and Orchestra entertained a discouragingly small audience at the Tabernacle Church last evening, with a programme of songs, instrumental selections, readings and crayon sketching. The concert had many of the old features that distinguish college glee club concerts, with several new ones that | trial by jury.

were good. Walter Percy Pfaff, an Indianapolis boy. Leopold Meyer vs. C., C., C. & St. L. made a hit with several readings, and as Railway Company; damages. On trial by Walter Percy Pfaff, an Indianapolis boy. leader of a burlesque band "From the Farm," in which the members gave a re-Holland, and a party will go to Greenfield | dyke has made no definite arrangements for | Sheckell, crayon sketch artist, and Ethel-

# STATE VETERINARIANS HOLD A LARGE CLINIC

History of the Organization -Elect Officers.

ter fire protection conditions in theaters and day afternoon that he had solved the prob- State Veterinary Association closed last other public buildings. State Factory In- lem of "fireproofing" the hangings and night after the most successful and best-atdraperies of a theater. He states that he tended meeting in the history of the sohas discovered a chemical solution in which | ciety. Over seventy veterinary surgeons any fabric, of no matter how delicate tex- from all parts of the State were present. The meeting yesterday afternoon was held at the Indiana Veterinary College. Clinics were conducted by several of the

> President, F. W. Anderman, Hartford City; vice president, W. R. Craig, Indianapolis; treasurer, O. L. Boor, Muncie; secretary, G. H. Roberts, Indianapolis. The convention met in the Statehouse last

night and several interesting papers were read. A call will be issued to the members within the next few days for the convenadded the chemist, "and I suppose that tion to be held the first week in January, 1905. The convention next year will last two days instead of one, as heretofore. Scottish Rite Elects. Saraiah Council, Princes of Jerusalem,

Ancient and Accepted Scottish Rite, held its annual election of officers at its room last evening and elected the following officers for the ensuing year: John W. Staub, 33d degree, M. E. Sov. P.

G. Master.

Samuel B. Sweet, 33d degree, G. H. P., deputy grand master. Thomas B. Linn, 32d degree, M. E. senior grand warden. Eddy M. Campbell, 33d degree, M. junior grand warden. Charles F. Meyer, 33d degree, V. grand Francis T. Holliday, 32d degree, V. G. R., Sec. K. of S. and A. Thomas J. Yount, 32d degree, V. G. R. master of ceremonies. Horace F. Wood, 33d degree, V. G. al-

Robert M. Coffin, 32d degree, grand master of entrances. Frank Wilson, 32d degree, grand tyler. These officers were installed at the conclusion of the election.

# TOMBSTONE TO TELL SHE WAS OF A NOBLE FAMILY

Nowland, Descendant of the Earl of Rivers.

the famous Otis family, of revolutionary

The will was filed for probate before Commissioner Walker yesterday, but owing to to the many erasures and changes, which the dead woman had made in the instrument, it was not admitted to probate. The will was filed by Maria Justine Nowland. The family home was left to the daughter and a house next to 'the residence was willed to the son. The daughter said the property was heavily mortgaged at the time of her mother's death.

EXPERTS TESTIFY THAT MEYER'S SIGHT WAS LOST

Oculists Take Up Day in Judge Leathers's Court Testifying in Behalf of the Plaintiff.

A greater part of the testimony given yesterday before Judge Leathers in the \$100,000 damage suit brought by Leopold Meyer against the Big Four Railway Company pertained to that of experts, who made several tests upon Mr. Meyer to ascertain if his eyesight was totally destroyed. Dr. John J. Kyle, Dr. Hugo O. Pantzer and Dr. Alfred S. Jaeger, a brother-in-law of Meyer, were on the stand and testified that they had examined Meyer the day after the accident and found cinders ground in his eyes, besides other injuries.

The doctors testified that they were convinced that Meyer was totally blind from was to push the point of a pencil toward the eye almost touching the pupil. Another was the flashing of a light close to Meyer's face. Under both of the tests and others made, the doctors said. Meyer showed no signs of being able to see. The case will continue to-day and to-morrow.

Gardner Sent to Prison

for Robbing Wreck Victim Upon Ralph Gardner's plea of guilty to robbing Morris Steele, one of the Purdue special wreck victims, of a \$75 watch and a \$3 ring, Judge Alford vesterday sentenced him to the Indiana Reformatory for a term of from one to fourteen years. Steele was under treatment at the City Hospital and Gardner was a ward attendant. He took the watch and ring from the patient's vest pocket and hid them in the cupboard of the engine room, where they were afterwards recovered. Steele was so far improved yesterday aft-

ernoon as to be able to leave for his home in Lafavette. Lewis Brewer pleaded guilty to the theft of clothing and jewelry valued at \$35 from Sydney Smith, 1167 Bates street. Sentence was withheld until this morning in order

Suit Is Brought for a

Murderer's Insurance

Suit was begun yesterday before Judge Allen in the Circuit Court to collect the life insurance on Ora Copenhaver, who was hanged last June for the murder of his wife. Mrs. Mattie E. Furgeson, mother of Mrs. Copenhaver, brought the suit against the Prudential Insurance Company. The company paid the amount of the policy, \$228, into court some time ago. Henry Seyfried, the attorney for Copenhaver and administrator of his estate, is the other claimant for the money.

### Caught in Elevator.

Edward Beaning, by his next friend, Conrad Bender, yesterday filed a \$3,000 damage suit against Edward F. Claypool to recover for personal injuries received one night in October, 1903

The complaint states that Beaning, who is but fifteen years of age, was caught in an elevator operated in the Postal Telegraph building. His foot was badly crushed, torn and lacerated.

THE COURT RECORD. SUPERIOR COURT. Room 1-John L. McMaster, Judge. Martin Halpin vs. Indianapolis Traction and Terminal Company; damages. On

Room 2-James M. Leathers, Judge.

CIRCUIT COURT. Henry Clay Allen, Judge. Otto Rose vs. Street-railway Company; damages. On trial by jury. Alice New vs. Beatrice B. Nichols; damages. Dismissed for want of prosecution.

Judgment against plaintiff for costs.

note. Submitted to court. Finding for plaintiff. Judgment against defendant for \$157 and costs. Fremont Alford, Judge. CRIMINAL COURT.

Otto C. Holtze vs. John A. Wild; suit on

Ralph Gardner; grand larceny. Defendant enters plea of guilty. Fined \$1 and costs. Imprisoned one to fourteen years in Indiana Reformatory. Disfranchised one

NEW SUITS FILED. Samuel R. Stanley vs. Ida Stanley; divorce. Superior Court, Room 3 August Hoheisel vs. Martha Hoheisel; divorce. Circuit Court. Edward Beaning, by next friend, vs. Edward F. Claypool; complaint for damages. Superior Court, Room 1 Columbia National Bank vs. G. D Doramus; suit on note. Superior Court, Room 2. James M. Allison vs. Indianapolis Traction and Terminal Company; complaint for damages. Circuit Court. Susan Bailey vs. Raleigh Bailey; divorce. Superior Court, Room 2.

#### HIGHER COURTS' RECORD. SUPREME COURT.

19942. Pittsburg, etc. R. R. Co. vs. Town of Wolcott. White Circuit Court. Affirmed. Dowling, J .- 1. The unconstitutionality of a statute cannot be presented to this court by an independent assignment of error to that effect, but it may be raised by an assignment of error alleger regressions of the court in susutaining cert demurrers and over-ruling others, and in overruling motions for a new trial and in arrest. 2. In a proceeding to establish a highway or street omissions which are mere irregularities do not constitute ground for dismissing or vacating the proceedings. 3. Where there is no motion made by a landowner to set aside or vacate the report of the commissioners in a proceeding to open a street, on appeal to the Circuit Court, the only question to be determined is the amount of damages sustained by the landowner. 4. Sections 4404-4410, Burns, 1901, is in conformity with the Constitution. 5. Where only a portion of a tract of land is taken in a proceeding to establish and open a street. n assessing the damages the jury may consider the amount of benefit to that portion 20073. Indiana R. R. Co. vs. Hoffman. St.

Joseph Circuit Court. Affirmed. Jordan, J. -1. Where the validity of a franchise is in controversy, the appeal is within the jurisdiction of this court. 2. Where a street railway company agrees with a city to issue transfer tickets upon all its lines within the city, it applies to lines which run through territory which is subsequently annexed to the city and through which the lines run at the time the agreement was entered into. 3. A city cannot bargain away its right to enlarge its boundaries under the laws of the State. 20130. State ex rel. vs. Shutts. Dearborn

Circuit Court. Affirmed. Hadley, J.-1. brief (8.)

Affirmed in part upon authority of Board, etc. vs. Flynn, decided Dec. 18, 1993. 2. Sec- Thomas W. Jones. Clay C. C. Appellee's tion 7911, Burns, 1901, makes it the imperative | petition and brief (8) to modify mandate.







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It gives instant and permanent

WILSON'S

relief in Croup, Whooping Cough, Asthma, Bronchitis and all diseases of the throat and lungs. Prepared and Sold Only by E. H. WILSON,

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We have a very large and select line of these goods at very attractive prices.



Opposite Courthouse,

The situation, as well as the appointments

Where blighting winds and nipping frosts are tempered by the sea and sun." Hotel Chamberlin, Old Point Comfort, Va.

of this famous hostelry are peculiarly con-ducive to recreation and enjoyment at this season. Cuisine and service of unsurpasse Hampton Roads: Rendezvous of White Squadron. Fortress Monroe: Largest military post Shooting preserves of 10,000 acres exclusive use of guests. Fine shooting; dogs and guides furnished. Golf the year round. Rookiets at Big Four R. R. Offices. GEO. F. ADAMS, Mgr., Fortress Monroe, Va.

duty of the Board of Commissioners, when necessary to preserve any court or other public record of the county, to direct the clerk of the county, or other custodian officer, to transcribe the same, and shall make the one performing the work a reasonable allowance therefor, to be paid as other allowances are paid. 3. The reproduction or recopying of a public court record, made more than twenty years before, and worn out by use, cannot be considered official business by the clerk.

19878. Emmett H. Scott vs. The City of Laporte. Laporte C. C. Appellant's answer (8) to petition for rehearing. APPELLATE COURT.

4539. City of Lafayette vs. Fitch. Tip-

pecanoe Superior Court. Affirmed. Henley. . J.-1. Where the facts constituting negligence are disputed, it is a question for the jury trying the cause to decide. 2. Where the facts are found by the jury, then their legal consequences constitutes a question of law for the court. 4599. Broadstreet vs. Hale. Putnam Circuit Court. Reversed. Wiley, P. J.-1. Agency cannot be proven by the declarations of the agent or servant. 2. Incom- to all points between Indianapolis and Frankpetent evidence will be regarded as fort, and until 6 p. m. for delivery to all points harmful when it goes to a vital question before 9 o'clock the next morning. n the case as presented by the pleadings. 3. After stating correctly to the jury what facts are proper to be considered in determining the amount of damages they will award the plaintiff, in case they find for her, it is erroneous to add to such instruction that the jury may also consider "all the facts and circumstances proven in the case." 4. A jury in computing damages can consider only such facts as form proper elements for a recovery 4521. Indianapolis Street-railway Com-pany vs. Brown. Hancock Circuit Court. Affirmed. Roby, J.-1. To suddenly start a street car while a passenger is in the act of alighting therefrom is negligence on the

part of the company operating the car. 2 Where a street car stops to enable a passenger to alight, the company is bound to know that she has done so before starting the car again.
4467. Williams vs. Manley. Jay Circuit Court. Affirmed. Robinson, J.-1. A proceeding to review a judgment for error of law appearing in the proceedings and judg- IND'P'LIS & EASTERN RAILWAY CO. ment, is in the nature of an appeal, and is to be tried by the record alone. Such a proceeding cannot be sustained unless the error be such as would reverse the judgment on an appeal. 2. A judgment of a court having jurisdiction of the parties and subject matter may be erroneous, but it is not void. 3. The fact that a judgment gives a party more than his pleading shows he is entitled to, does not make the judgment void. 4950. Whitesell vs. Strickler, Hancock Circuit Court. Leave granted to amend assignment of errors. 4411. McLaughlin vs. Union, etc., Association. Elkhart Circuit Court. Petition for rehearing overruled. 5041. Hayne vs. Keesling. Boone Circuit

withdraw record. 4371. Dodge vs. Johnson. Elkhart Circuit Court. Petition for rehearing overruled. 4864. Hatfield vs. Chenewoth. Huntington Circuit Court. Motion to publish deposition overruled. Motion to dismiss overruled. 4963. Casper vs. Murphy. Grant S. C. Motion to dismiss postponed till final hear-4889. Green vs. McGrew. Huntington C

. Motion for cost bond overruled. Motion

to dismiss overruled 4935. Miller vs. Julian. Cass Circuit Court. Motion for leave to file brief overruled. Motion for certiorari granted. 4900. Dairy Co. vs. Brudi. Allen Superior Court. Motion to dismiss overruled. Motion for additional bond sustained. Appellant to file bond to approval of clerk of this court in thirty days. 5084. Nelson vs. Nelson. Grant Circuit Court. Motion to dismiss appeal postponed until final hearing.

-Minutes .-

4888. The Sargent Glass Company vs. The Matthews Land Company. Grant C. C. Petition to file reply brief demurred. 4885. Matilda Neff vs. The Metropolitan Life Insurance Company. Marion S. C. Appellant's additional authorities (8.) 4962. The Dean Brothers' Steam Pump Works vs. William T. Griffin. Morgan C. C. Appellant's reply brief (8.) 5084. John C. Nelson vs. Sarah H. Nelson poned until final hearing. Appellees' et al. Grant C. C. Motion to dismiss post- next and last car leaves at 10:40, running to In-

RAILROAD TIME CARD.

BIG FOUR ROUTE City Ticket Office, Passenger Trains Leave Indianapolis Union Station

. \$ \*4.40 s m; \*8.00 s m; } \*2.55 p m & \*6.25 p m. ....11.00 s m. \*4.45 p.m. 7.00 a m & 6.23 p m 7 00 a m & 11.30 a m. ...\*4 45 p m. 5 \*8.45 a m; \*4.30 a m; Elkhart and Way Stations Greensburg and Cincinnati... \*2.55 p m & \*6.20 p m. Louisville and North Vernon ... \*3.45 a m & 2.55 p m. 7.45 n m & 4.00 p m. incinnati and way .... 

Lynn and Way Stations ... Lafayette, Kankakee and Chi- 11.50 a m: \*3.50 p m cago ...... & \*12.10 a m.

8 North Illinois St. Claypool Hotel. Leave Indianapolis. \*4 00 a m \*8.05 a m 10 40 a m 2 00 p m \*5.00 p m \*7.02 p m

Decatur and Springfield ...... 8.00 am \*11.10 p m Tuscola Accommodation ..... 3.30 p m LECTION City Ticket Office, 8 N. Illinois

Chicago Express Trains, via § Ronehdale, Crawfordsville, La-

Toledo, Chicago and Michigan ex ..... †7.15 \*10.25 Toledo, Detroit and Chicago lim .... \*12.20 †3.25 Muncie, Lafay'te and Mich C'y spec. †7.20 †10.25

Indianapolis Union Station. ennsylvania Lines. Trains Run by Central Time. TICKET OFFICES at Station and at corner Illinois and Washington Streets, · Daily. Daily, except Sunday. Sundays only. FROM INDIANAPOLIS TO LEAVE ARRIVE Philadelphia and New York. Baltimore and Washington. Columbus, Ind. and Louisville. Columbus, Ind. and Louisville. ..\*7.00 \*6.35 ..\*7.80 \*11.59 Piqua and Columbus Vincennes Express.

.11.40 \$12.40 huadelphia and New York .... Saltimore and Washington. Dayton and Springfield..... Spencer and Bedford acc. Pittsburg and East..... Columbus. Pittsburg and East ...

Logansport and Chicago VANDALIA LINE. Terre Haute, St. Louis and West.....\*7.25
Terre Haute, St. Louis and West.....\*12.15
Terre Haute, St. Louis and West....\*3 30

St. Louis and all points West .......... 12.25 INDIANA UNION TRACTION COMPANY. Local trains for Anderson, Muncle and intermediate points leave Indianapolis at 4:15 a. m. and each hour thereafter until 9:15 and 11:30 . m. These trains make direct connec

Anderson with trains for Alexandria and Ei-

Limited trains for Anderson and Muncle leave Indianapolis at 8 and 11 a. m. and 2 and 3 p. m., arriving in Anderson in 1 hour and 25 minutes and in Muncle in 2 hours. The 8 a. m and 2 p. m. trains make direct connection at Anderson with limited trains for Elwood. Commencing Dec. 23, 1903, trains for Noblesville, Tipton, Kokomo and Intermediate points will leave Indianapolis as follows: Limited trains will leave Indianapolis at 4:4 . m. and every two hours thereafter until 8:45

Local trains will leave Indianapolis at 5:39 a. m. and every two hours thereafter until 7:39 and 11 p. m. Trains leaving Indianapolis at 9:30 p. m. run only as far as Tipi -Express Department -Consignments received until 12 o'clock no

andria, Elwood, Tipton and Marion. INDIANAPOLIS & NORTHWESTERN TRACTION COMPANY. General Offices, Lebanon, Ind.

First through cor from Lafayette leaves La-fayette at 6:25 a. m., arrives at Frankfort at 7:32 a. m., Lebanon at 8:15 a. m. and Indianapolis at 9:45 a. m. and every hour thereafter until 9:25 p. m. Last car from Lafayette to Lebanon leaves Lafayette at 11:25 p. m. and arrives at Lebanon at 1:15 a. m. Express Department - Consignments received until 10 o'clock a. m. for delivery the same day

DIVISION LEAVE SHELBYVILLE LEAVE INDIANAPOLIS 2.00 PM 5.00 AM 5.80 AM 2.30 PM 8.00 " 6.00 " 6.30 " 7.00 4.00 " 4.30 7.30 " 5.00 \*\* 8.00 " 5.80 " 6.00 \*\* 9.00 " 6.30 " 10.00 " 7.00 " 7.80 " 8.00 " 11.00 " 8.80 " 12.00 n'a 9.00 4 9.30 "

12.30 PM 1.00 PM 10.30 " 1.30 " •11.00 " "WAITS FOR CLOSE OF THEATERS

General Office, Franklin Building Time table effective January 4, 1904 All cars depart from Meridian and Georgie

Knightstown; next and last car leaves at 11:15 Court. Dismissed and leave granted to p. m. for Greenfield only. Combination passenger and express cars leave at 5:55 a. m., 7:65 a. m. and 11:55 a. m. for Greenfield and Knightstown. -Express Cars. For Greenfield and intermediate stations only

runs to Greenfield only; the 9:55 p. m. runs to

INDIANAPOLIS, COLUMBIS & SOUTH. ERN TRACTION COMPANY. Through passenger cars leave Pennsylvania

Combination passenger and express car leaves Georgia and Meridian streets for Greenwood only at 9:30 a. m. and 3:30 p. m. INDIANAPOLIS & MARTINSVILLE RAPID TRANSIT CO. Waiting room and station, 47 Kentucky avenue First car leaves from in front of No. 47 Ken-

Leaving Martinsville for Indianapolis and intermediate stations, first car at 5:30 a. m. and every hour thereafter, on the forty-minute mark, until 6:40 p. m. The 7:40 p. m. car runs only to Mooresville, the 8:60 car to Indianapolis and the

dianapolis. Cars leave Mooresville for Indianapolis and

EAST BOUND-For New York and Boston.... Cleveland and Way Stations nion City and Way Stations .. uncie and Fort Wayne. 

Terre Haute, Mattoon and Way, 500 a m.

CITY TICKET OFFICE.

Cincinnati Express \*4.00 a m 10.40 a m 3.00 p m \*5.00 p m \*4.00 a m 10.49 a m Toledo and Detroit .....

> St., Claypool Hotel. Leave Indianapolis, \*7.00 a m s11.50 a m

8.85 pm \*12.55 a m Monon (Ind.) Accommodation. \*4.00 p m

\* Daily. s Sunday only.

Lake Erie & Western R. R.

P. M. time is in BLACK figures.

.97.20 96.15 57.30 98.15 18.05 15.40 .18.05 15.40 North Vernon and Madison. Dayton and Xenia,

Louisville Accommodation.... Phil and New York, "The Limited" Dayton and Xenia.....

Terre Haute and Effingham Acc......4 00 Greencastle and Terre Haute.......8.35

for delivery the same day to all points between Indianapolis and Muncie; until 8 p. m. for de-livery to all points before 6 o'clock the next morning, including Muncie, Anderson, Alex-

Indianapolis waiting rooms, ticket office and express office, 119 West Maryland street, Union First through car for Lafayette leaves Indianapolis at 4 a. m. and arrives at Lebanon at 5:16 a. m., Frankfort 5:30 a. m. and Lafayette 6:35 a. m. Second through car leaves Indianapolis at 6 a. m., arrives at Lebanon at 7:31 a. m., Frankfort at 8:14 a. m. and Lafayette at 9:17 a. m. and every hour thereafter until 9 p. m. Last car for Lebanon leaves Indianapolis at 11:39

THE INDIANAPOLIS AND CINCINNATI TRACTION CO. SHELBYVILLE

8.30 " 9.30 " 10.30 " 11.30 "

For Richmond, New Castle and intermediate stations passenger cars leave on the following hours: 6:55 a. m., 8:55 a. m., 10:55 a. m., 12:55 p. m., 4:55 p. m. and 6:55 p. m.
Limited trains for Greenfield, Knightstown,
Cambridge City and Richmond leave Indianapolis
at 7:40 a. m., 11:40 a. m. and 3:40 p. m.
The above cars make direct connections for Eaton, Dayton, Lima, Greenville, Columbus, Newark, Hamilton and Cincinnati, Ohio.

For Greenfield, Knightstown and intermediate stations first car leaves at 5:55 a. m. and each hour thereafter until 7:55 p. m. The 8:56 p. m.

arrive at 7:25 a. m. and leave at 9 a. m. Also arrive at 2:20 p. m. and leave at 3:30 p. m. Express for Knightstown, Dublin and intermediate stations leaves at 9:30 a. m.

and Washington streets for Southport, Green-wood, Whiteland, Franklin, Amity, Edinburg, Taylorsville and Columbus. First car at 6 a. m and every hour thereafter until 8 p. m. The last car leaves at 11:15 p. m. At 9 and 10 p. m. cars leave for Franklin and intermediate points

tucky avenue for Martinsville and intermediate stations at 5:30 a. m. and every hour thereafter on the half-hour mark until 6:20 p. m. The 7:30 p. m. car runs only to Mooresville, the \$:36 car runs to Martinsville and the next and last car leaves at 11:30 p. m., running to Martins

Martinsville at 5:30 a. m.

Express car arrives at Indianapolis at 7:48
a. m. and departs at 9:10 a. m.; also arrives at
1:42 p. m. and departs at 3:10 p. m.